

<b>Notice of Allowability</b>	Application No.	Applicant(s)	
	09/553,012	ELLER ET AL.	
	Examiner	Art Unit	
	Kevin M. Nguyen	2674	

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--**

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 7/22/05.
2. ☒ The allowed claim(s) is/are 22-25 and 55 ~~17, 25, 2-5, 29-30, 33-35 and 40-41~~ renumbered as claims 1-13.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) ☐ All    b) ☐ Some\*    c) ☐ None    of the:
    1. ☐ Certified copies of the priority documents have been received.
    2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.  
**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
  5. ☐ CORRECTED DRAWINGS ( as "replacement sheets") must be submitted.
    - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review ( PTO-948) attached
      - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
    - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

**Attachment(s)**

- |  |  |
|--|--|
| 1. <input type="checkbox"/> Notice of References Cited (PTO-892)   | 5. <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)            |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)   | 6. <input type="checkbox"/> Interview Summary (PTO-413),<br>Paper No./Mail Date _____. |
| 3. <input checked="" type="checkbox"/> Information Disclosure Statements (PTO-1449 or PTO/SB/08),<br>Paper No./Mail Date <u>07/11/05</u> | 7. <input type="checkbox"/> Examiner's Amendment/Comment                               |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit<br>of Biological Material                               | 8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance   |
|  | 9. <input type="checkbox"/> Other _____.   |

*Xiao Wu*  
**XIAO WU**  
**PRIMARY EXAMINER**

### **REASONS FOR ALLOWANCE**

Response to applicant's amendment filed on 07/22/2005, claims 1-16, 18-21, 26-28, 31-32, 36-39 and 42-54 are cancelled, claims 29, 30, 33, 40 and 41 are amended. Thus, claims are 17, 55, 22-25, 29-30, 33-35 and 40-41 are allowed as a result of the Board's reversal in part of the Examiner's answer.

The following is an examiner's statement of reasons for allowance:

The closest prior arts, Royal et al (US 5,980,090) and Adler et al (US 6,009,409), single or combination, fail to teach or suggest the recitations of claims 17, 22, and 23, "a system and method for selling advertising space on electronic boards over the Internet comprising: uploading the information from the third information handling system over the Internet to the information handling system controlling the selected electronic billboard which is selected from a list of available electronic billboards including a map of the first and second electronic billboards locations."

The recitations of claim 24, "a method of advertising, comprising the step of: uploading advertising data to an ebillboard.net server via a remote computer by an advertiser."

The recitations of claims 29, 30 and 33, "the computer program product operable for displaying information on an electronic display, comprising the program steps of: sending the first information over the Internet to the first designated target display, wherein the first information is accompanied with a time when the first information is to be displayed on the first designed target display."

The recitations of claims 40 and 41, "the computer program product operable for uploading content to an electronic display, comprising the program steps of: outputting information on whether the target display device is available to display the content; permitting a selection of the target display device if it is available to display the content; and preventing a selection of the target display device if it is not available to display the content."

These distinct features have been added to the independent claims 17, 22, 23, 24, 29, 30, 33, 40, and 41 and render the above limitations allowable and along with other limitations as recited in the independent claims 17, 22, 23, 24, 29, 30, 33, 40, and 41.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

### ***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kevin M. Nguyen whose telephone number is 571-272-7697. The examiner can normally be reached on MON-THU from 8:00-6:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Patrick N. Edouard can be reached on 571-272-7603. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8000.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the Patent Application Information Retrieval system, see <http://portal.uspto.gov/external/portal/pair>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Kevin M. Nguyen  
Patent Examiner  
Art Unit 2674

KMN  
October 16, 2005

  
**XIAO WU**  
**PRIMARY EXAMINER**